

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Board of Zoning Adjustment

DATE: April 3, 1968

NAME: Flavia M. Pinkett, Pres.  
ADDRESS: John R. Pinkett, Inc.  
CITY: 1507 - 9th St. N. W.  
Washington, D. C. 20001

Dear Sir or Madam:

The Board of Zoning Adjustment in executive session on March 26, 1968  
after public hearing held on March 20, 1968, CONDITIONALLY GRANTED  
Your Appeal No. 9515.

For permission to establish a community organization (Model

Inner City Community Organization, Inc.) at 1015 T Street

N. W., lot 6, square 333. Community Center Bldg JEB 4/19/68

CONDITIONS: Permit shall issue for a period of one (1)

year.

THIS LETTER MUST BE PRESENTED WHEN MAKING APPLICATION FOR PERMITS.

A formal Order will be prepared and forwarded to you. In the meantime, this letter will serve as notice to other departments of the action taken by the Board.

Yours very truly,

*James E. Bess*  
JAMES E. BESS  
Administrative Officer

Mrs. Beaula M. Sharpe  
2111 Branch Ave. S.E.  
Washington, D. C. 20020

Mr. Ray Littlejohn  
1901 - 11th St. N. W.  
Wash., D. C.

**7404.32** Topographic and traffic conditions; and,

**7404.33** Any adverse effect the requested waiver or modification of standards may have on adjacent identical property.

**7404.4** The Board may require such special treatment of the premises as it shall deem necessary to protect the value of adjacent property.

## ARTICLE 75

### MISCELLANEOUS PROVISIONS

#### Section 7501—Site Plans for Large-Scale Planned Development of Five Acres or More

**7501.1** The purpose of this Section is to encourage, in one or more Districts irrespective of use restrictions required by general zoning regulations, the design of well-planned, large-scale residential, institutional, or commercial developments, or a combination thereof which will offer a variety of building types or more attractive and efficient overall planning and design without sacrificing creative and imaginative planning. Under this Section well planned shopping centers, large-scale residential developments, and other types of uses or combination thereof might be developed with greater flexibility than otherwise would be possible under these regulations in area zoned as Residence, Special Purpose or Commercial or combinations thereof. The procedure and standards established herein are intended to permit, with Zoning Commission approval, diversification in the use, size, type and location of structures, and to improve circulation and site facilities while at the same time insuring adequate standards relating to public health, safety, welfare and convenience in the use and occupancy of buildings and other facilities in planned building groups. (Case No. 61-3 of 5-23-61)

**7501.2** Each application for a large-scale planned development shall be filed with the staff of the Zoning Commission. When filed such application shall certify that: (Case No. 61-3 of 5-23-61)

**7501.21** The area to be included within the development contains five or more acres, PROVIDED:

(a) That, in any case where the area to be included is entirely within an SP, C-3-B, or C-4 District, or within any combination of such districts, such area may, at the option of the applicant, be reduced to not less than one and one-half acres; and

(b) That, in any case where the area to be included is less than one and one-half acres but involves one or more lots within an area as described in 7501.24, such lot or lots may be developed on an individual basis, if the improvements conform to the provisions of a sectional development plan within such area.

**7501.22** The names and known addresses of each property owner included within the area to be developed are designated and listed in the application filed; and (Case No. 61-3 of 5-23-61)

**7501.23** The gross floor area of all buildings does not exceed the sum of the total permitted within that portion of each Residence, Special Purpose, or Commercial District under the floor area ratio limitations established by these regulations for each district, provided:

(a) The maximum permitted gross floor area for all uses in R-5-D, Special Purpose and C-3-B Districts shall be 6.0; and the maximum permitted gross floor area for R-1, R-2, or R-3 Districts shall be determined by multiplying the area of those portions of the designated area located in an R-1 or R-2 District by a floor area ratio of 0.4 and those portions of the designated area located in an R-3 District by a floor area ratio of 0.6;

(b) No building exceeds the maximum height of buildings permitted in the least restrictive district in which any of the designated area is located; provided that in the Special Purpose and C-3-B Districts a maximum height of 130 feet may be permitted;

(c) No building located in a Residence District exceeds on any one lot the bulk limitations established by the floor area ratio and percentage of lot occupancy requirements of the R-5-D District;

(d) No buildings located in a Special Purpose or Commercial District exceeds on any one lot the bulk information established by the floor area ratio requirements of the Special Purpose District under (a) above;

(e) Yards and courts for each residential or institutional building shall be of an area and dimension not less than the requirements for each such building in the R-5-D District; and yards and courts for each commercial building shall be of an area and dimension not less than the requirements for each such building in the Special Purpose District; and,

(f) Off Street parking spaces and loading berths for each residential or institutional building shall be provided in an amount not less than that required for each such building in an R-5-D District; and off street parking spaces and loading berths for each commercial building shall be provided in an amount not less than that required for each such building in the C-3-B District. (Case No. 61-3 of 5-23-61)

**7501.24** Whenever the application filed with the staff of the Zoning Commission as provided for in Section 7501.2 shall show that all of the buildings or structures in the planned development are entirely within a C-4 District which abuts a street 160 feet in width, that pursuant to the Act of June 1, 1910 (36 Stat. 452) the height of the buildings does not exceed 160 feet, that the floor area ratio does not exceed 12.0 on any one lot, that the floor area ratio for the over-all bulk of the total planned development project does not exceed 10.0, and that all of the buildings and structures in said planned development project comply with the yard, court, off-street loading and off-street parking requirements applicable in a C-4 District, then the extension of the area and bulk limitations in Section 5301.22 may be permitted or required, and where such buildings or structures face or abut a street, the buildings or structures may in the discretion of the Zoning Commission, be extended above 110 feet without set-backs as required by Section 5201.22(b). (64-68, 4-27-65)

**7051.25** Notwithstanding the floor area ratio limitation for any one lot as contained in Paragraph 7501.24, development pursuant to the provisions of subsection 7501.21 (b) shall not exceed a floor area ratio of 10.0 in any one lot. (65-93) 11-10-65

**7501.3** An applicant for a large-scale planned development may submit his application in preliminary form, and in sufficient detail to permit a clear understanding of the problems involved. In addition to the certification required by 7501.2 he shall submit: (Case No. 61-3 of 5-23-61)

**7501.31** Give copies of a site plan or plans drawn to scale showing:

(a) The proposed use, location, dimensions, number of stories and approximate height of each building;

(b) The approximate area and dimensions of each lot proposed for each building and the exact area of the total site;

(c) The approximate lot occupancy of the building on each lot to be used for residential purposes and the approximate floor area ratio of each building;

(d) The location and approximate number of all off-street parking spaces and loading berths;

(e) The topography of the development area and the elevations of streets and alleys bounding and within the site area;

(f) The location of existing or proposed public and private right-of-ways and easements bounding and intersecting the designated area, and indications as to which of the right-of-ways or easements are to be continued, relocated or abandoned; and,

(g) The approximate number, size and type of stores; the approximate amount of area for offices; the approximate number of families or persons to be accommodated in each type of structure; and the approximate number and scope of commercial adjuncts for hotel or apartment use. (Case No. 6-3 of 5-23-61)

**7501.32** Five copies of a map showing the existing zoning of the designated area and the zoning of all property within 200 feet of the proposed development area. Case No. 61-3 of 5-23-61)

**7501.4** Within 5 business days after receipt of an application for a large-scale planned development the Planning Officer of the Zoning Commission shall submit the application and accompanying documents to the National Capital Planning Commission for review and report. In reviewing each application the National Capital Planning Commission should give consideration to: (Case No. 61-3 of 5-23-61)

**7501.41** The intent of Paragraph 7501.23, the provisions of which are to be construed as maximum permissive digressions to be applied as minimum standards only when clearly in furtherance of objectives outlined in the preamble. Standards may be graduated or varied if they reflect the intent and purpose of criteria under general zoning requirements of the districts in which the planned development is proposed; but no application should be recommended the purpose of which is the circumvention of such requirements. (Case No. 61-3 of 5-23-61)

**7501.42** The National Capital Planning Commission should also give consideration to whether:

(a) The provision for light and air is in all respects adequate for the proposed development;

(b) Properly planned open spaces, parking spaces and loading berths are provided within the planned area;

(c) Any deviation from the use, height, area, density, or bulk provisions of general zoning regulations will have any adverse effect on the use of neighboring property in accordance with the zone plan; and

(d) The plans for the development are consistent with the comprehensive plan for the City as a whole. (Case No. 61-3 of 5-23-61)

**7501.5** Prior to the submission of its report to the Zoning Commission, the National Capital Planning Commission may require the applicant to provide additional plans or other information deemed necessary for a comprehensive report. These may be submitted direct to the reporting Commission provided a copy of each is also filed with the office of Zoning Commission; but if a model is required or submitted, duplicates need not be provided.

After report to the Zoning Commission by the National Capital Planning Commission, the plans for such development shall not be approved unless a public hearing thereon is first held by the Zoning Commission. (Case No. 61-3 of 5-23-61)

**7501.51** Notice of such public hearing shall be given in the same manner as is required for consideration of proposed amendments to these regulations and maps. (Case No. 61-3 of 5-23-61)

**7501.6** If found to be in harmony with the intent and purpose of the zoning map and regulations, a large-scale planned development approved by the Zoning Commission will be in general approval of a designated plan only; but such guides, standards, conditions and limitations as the Commission may determine, will be made a part of the approving order. This order shall not become final unless submitted to the Board of Zoning Adjustment as provided by Paragraphs 7501.61 and 7501.7. (Case No. 61-3 of 5-23-61.)

**7501.61** The plan approved in general by the Commission shall be valid for a period of one year only, unless within such period application for further processing is made to the Board of Zoning Adjustment as provided in Paragraph 7501.7 (Case No. 61-3 of 5-23-61)

**7501.7** Any applicant whose large-scale development plan has been approved by the Zoning Commission may file application for further processing before the Board of Zoning Adjustment; but unless modified or exempted elsewhere in this Section, all other rules governing Board procedure, including public hearing and notice shall apply. (Case No. 61-3 of 5-23-61)

**7501.71** In addition to citation of the formal record of proceedings before the Zoning Commission the applicant shall at the time of filing submit:

(a) Complete floor plans and architectural elevations of each building;

(b) Roof plans and architectural elevations of all roof structures for each building;

- (c) The grading and drainage plan for the development area;
- (d) The planning and landscape plan for the development area;
- (e) The finished site plan with lot areas and dimensions showing thereon all buildings and noting precisely any difference in their approved location or size, the location and details of all other structures not classed as buildings and the location, details and grades of all driveways requiring curb cuts; and
- (f) As a part of the site plan or on a separate drawing, the detail open parking plans, including circulation, screening and lighting, and the circulation relation between separate compounds, garage facilities and street access. (Case No. 61-3 of 5-23-61)

**7501.72** It shall be the duty and responsibility of the Board of Zoning Adjustment to implement the general approval of the development plan given by the Zoning Commission, and to that end, subject to all conditions which the Commission may impose by formal order and to the limitations contained in Paragraph 7501.23, the Board shall have all of the powers hereinbefore vested in the Zoning Commission by the provisions of this Section, except that, the Board shall not have the power to amend the approved development plan by changing the use of any building or by increasing or reducing:

- (a) The approved number of buildings or approved number of stories of any building;
- (b) By more than 5% the approved estimated height, bulk, lot occupancy or gross floor area of any building;
- (c) By more than 5% in any building the estimated number of apartment units, hotel rooms, institutional rooms, or gross floor area to be used for commercial or adjunctive purposes.
- (d) By more than 5% the estimated number of off-street parking spaces approved for the development as a whole. Case No. 61-3 of 5-23-61)

**7501.73** If in harmony with the objectives of this Section and in accord with the intent of the Zoning Commission's approving order, the Board may permit or require:

- (a) The shifting of any approved building within its lot lines as originally submitted to the Zoning Commission in order to retain the flexibility of design desirable hereunder, or by reason of unforeseen sub-soil conditions or adverse topography;
- (b) The construction, including type and design, of retaining, screening or decorative walls, or other structures not classed as buildings, and not shown or detailed on the approved plan; and,
- (c) Controlled use of signs, but shall determine and fix their number, size, color, scope, type and location; (Case No. 61-3 of 5-23-61)

**7501.74** The Board shall also consider and:

- (a) Fix the location and size of hotel and apartment house adjunct authorized by the Zoning Commission;
- (b) Where not specified determine the type of stores and service outlets, and within the maximum limits of the Zoning Commission's approved plan, adjust their size to fit the needs of the proposed tenants;
- (c) Determine the adequacy of landscaping, planting, screening and drainage plans; and
- (d) Take all other actions necessary to effect the plan approved by the Zoning Commission. (Case No. 61-3 of 5-23-61)

**7501.75** The Board shall retain its jurisdiction over roof structures and in addition shall have jurisdiction over roof structures normally approvable by administrative process. (Case No. 61-3 of 5-23-61)

**7501.76** When application is made by a public agency for a development plan under the provisions of this Section and the rules and requirements of that agency require or impose greater restrictions than those permissible or approved by the Zoning Commission, the more restrictive requirements of the public agency shall apply. In order to aid in the final processing of the development plan such restrictions shall be filed in the record before the Board. (Case No. 61-3 of 5-23-61)

**7501.77** Before approval of the final development plan the Board shall make findings as set forth under Paragraphs 7501.41 and 7501.42. (Case No. 61-3 of 5-23-61)

**7501.78** No order of the Board authorizing construction of the planned development shall be valid for a period of more than one year unless within such period the plans therefor are filed for the purpose of securing a building permit. After filing, general Board rules shall apply. (Case No. 61-3 of 5-23-61)

**7501.79** The Board shall retain jurisdiction to interpret and apply the terms and conditions of its orders and to make plan corrections and minor modifications of such plans; but no modification of the plan as finally approved by the Board shall be permitted unless processed as a new application in accordance with the procedure set forth in Paragraphs 7501.2 through 7501.5; or unless, after construction of the development plan is completed, in accordance with the provisions of 7501.110. (Case No. 61-3 of 5-23-61)

**7501.8** Work on the entire development may be started simultaneously, or the development may be constructed by stages in which case the Board of Zoning Adjustment shall fix the order of construction and shall specify the time limit and conditions for completion of the entire project; but at least partial work on the development shall be started within the time limits specified by this Section and all work so begun shall proceed to completion in accordance with the terms of the permit. Failure to begin any of the approved development within the time limit specified by this Section shall void all rights thereunder unless for good cause shown the Zoning Commission authorizes an extension thereof. Such extension may be authorized without public hearing. (Case No. 61-3 of 5-23-61)

**7501.9** Failure to complete the approved development plan in its entirety shall not operate to prevent the use of a completed building for the purpose designated in said plan; but before a permit for any portion of the approved plan is issued the owner shall agree that unless the entire development plan is completed within the time specified by this Section, or within the time specified by the Board

of Zoning Adjustment, or within any extended period of time approved by the Zoning Commission, the Commissioners of the District of Columbia may after written notice of not less than 30 days to such owner declare him in default and may assign the job of completing the development plan to such other builder or developer as they may deem qualified to carry out the terms of the approved order. This agreement which shall run with the land shall also recite that such owner agrees to sell all land within the approved development plan on which construction has not been started in accordance with such plan at its fair market value existing at the time of notice of default by the said Commissioner that fair market value shall be determined by the average of appraisals from three disinterested real estate experts selected by the said Commissioners; and that all costs caused by default shall be assessed against the property defaulted. (Case No. 61-3 of 5-23-61)

**7501.100** All conditions imposed by the Zoning Commission and the Board of Zoning Adjustment, including those the performance of which are conditions precedent to the issuance of any permit necessary for the development of any part of the entire site, shall run with the land and shall not lapse or be waived as a result of any subsequent change in the tenancy or ownership of any or all of said area. Such conditions shall be a part of any certificate of occupancy issued for any use of structure in such development. (Case No. 61-3 of 5-23-61)

**7501.110** After completion of the development in toto, and after occupancy in whole or in part for a reasonable period, and from time to time thereafter, adjustment of the facilities approved under the plan may be made if approved by the Board of Zoning Adjustment upon application filed and processed in accordance with general Board procedure. (Case No. 61-3 of 5-23-61)

**7501.111** The Board shall not have the power to authorize additions to existing buildings, nor to authorize construction of any new buildings. (Case No. 61-3 of 5-23-61)

**7501.112** The Board may, due to change of neighborhood conditions or for other good cause shown in harmony with objectives of this Section and the approved plan, permit:

(a) Extension or reduction of commercial facilities, apartment and hotel adjuncts, or a change in the type of such uses;

(b) Reduction or increase of apartment units, hotel rooms or institutional facilities in a specific building;

(c) Increase or reduction of required off street parking spaces consistent with any action approved under subparagraphs (a) and (b); and

(d) Adjustment of controlled sign requirements. (Case No. 61-3 of 5-23-61)

**7501.113** Before approval the Board shall submit the application to the National Capital Planning Commission for review and report. If the report of the said Commission is unfavorable the application shall not be approved unless carried by at least four votes. (Case No. 61-3 of 5-23-61)

## Section 7502—Accessory Uses and Accessory Buildings

**7502.1** Any accessory use or accessory building shall be located on the same lot with the use or building to which it is accessory, except that required accessory parking space may be permitted on another lot where specifically permitted under other provisions of these regulations.

**7502.2** An accessory building shall be located only in a rear yard, except that an accessory private garage may be located in a side yard under the special regulations of Section 7401. Not over 30 per cent of the area of a required rear yard on any lot shall be occupied by an accessory building or buildings.

**7502.3** An accessory building in any district shall not exceed one story or 15 feet in height except in an R-1-A or R-1-B District an accessory private garage may have a second story used for sleeping or living quarters of domestic employees of the family occupying the main building. Any such two-story accessory building shall not exceed 20 feet in height and shall not be located within the required rear yard. Any such two-story accessory building shall also be set back from all side lot lines for a distance equal to the minimum width of a required side yard in the district in which located.

**7502.31** The height of an accessory building permitted in paragraph 7502.3 shall be measured from the finished grade at the middle of the side of the accessory building which faces the main building to the highest point of the roof of the building.

**7502.4** An accessory building or structure shall not be erected on any lot prior to the time of construction of the main building to which it is accessory.

**7502.5** An accessory building shall not obstruct light and ventilation required by other regulations.

## Section 7503—Projections Into Required Open Spaces

**7503.1** Except for the following specified projections and encroachments, every part of a required yard or court or other required open space shall be open and unobstructed to the sky:

**7503.11** Cornices and eaves may project over any required yard or court for a distance not to exceed two feet;

(2-28-61)